1

File No. AFD 81 FAF 69

MYSORE GOVERNMENT SECRETARIAT

Notes/Correspondence/Collection

Department A.F. Section Forest B

Subject :— Request of Shri N.V. Desai of Hangal for withdrawal of section 35 of the Indian Forest Act, 1927 applied to Sy. Nos. 5/2 and 22(2) of Gutgudi, Hangal

Earlier References :—

Later References :—

20/2/69 final
11/10/71

(Classification A/B/C)
11-10-71

Notes Pages 6
Correspondence Pages 18
For/Not for Section Note Book
To be destreyed after

10/11/71

Under Secretary to Government.

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿ
ಶಾಸ್ತ್ರ ಇಲಾಖೆ (ಅರಣ್ಯ-ಬಿ)

T. ಗಂಗಪ್ಪ

2

DOCKET SHEET

Department: A.F.

File No. ATD 81/FAF/7

Section: Forest B

Volume:

SUBJECT

20579 Request of Shri N. V. Desai of Hangal with drawal of Section 35 of the Indian Forest Act, 1927, applied to Sy. Nos. 5/2 and 22(a) of Gotgudi Hangal Tq.

Number and date 1	To whom sent 2	Instructions 3
23/6/70	DS.	
3413. 23.6.70	LD).	
R. & I. SECTION LAW & P.A. DEPT. No. 21307/60 Dt. 24 JUN 1970 Section 10	A.7	
24/6 24/6/70 24/6		
4409/FB/70		
8/9/70	DS	
Min. of St. Forests, No. 1617 Date 9/9	Secy A&F	

P.T.O.

AFD 81 FAF-69

Sl. No. 1 (Receipt)
No. B3/69-/GFL/1564/69-70
dt. 14-10-69 from the C.C.F.

Sl. No. 2 (Receipt)
No. B-3/69-GFL/1564/69-70
dt. 28-10-69 from the C.C.F.

Note No. 1

A draft letter to the C.C.F. is put up for approval at Sl. No. 3/Page.

Issue
20/2/69

ISSUED
Dated 24/12

Sl. No. 3 (Issue)
T.L. dt. 24-12-69 to the C.C.F., Bangalore

~~Note 1~~

Sl. No. 4 (Receipt)
No. B-3-69-GFL-1564/69-70
dt. 22-5-70 from the C.C.F.

Note No. 2

The erstwhile Govt. of Bombay

AFD 81 FAF69

by their Notification (1) dt. 16-9-55 applied Section 35 of the Indian Forest Act, 1927, to Survey Nos. 5 and 22 of Gotgudi Village, Hangal Tq., Sharwar, thereby prohibiting certain acts in those Sy. Nos., vide please A on page 7.

(1) P. 7

Shri N. V. Desai, the owner of the above Sy. Nos. has now indicated that he intends to bring the said area under cultivation.

The DFO., Sharwar, reports (2) that the area is almost flat and fit for cultivation and that no soil erosion will take place if it is brought under cultivation.

(2) Page 11

AFD 81 F AF69

(3)

The C.C.F. has recommended for withdrawal of the said Bombay Govt. Notification in order to enable the owner of the land to bring it under cultivation and has pointed out that there is provision for such withdrawal vide please B on page 1.

(3) p. 2

The draft Notification sent by the C.C.F. at Sl. No. 5/Page 13 may be referred to I.D. for scrutiny in the first instance.

[illegible] 20/6/70

20/6/70 [illegible]

The recommendations of the C.C.F. may please be accepted. Draft for kind perusal.

[illegible] 22/6/70

[Records are placed below]

3412

for F/O scrutiny [illegible]

[illegible]

Note [illegible]

(In the draft) [illegible] 22/6/70

Draft revised. [the extent of S.No. 22/2 is given as 88 acres 20 guntas whereas in the notification dated 16-9-55 the extent of S.No. 22 is shown as 77 acres 1 gunta.

AFD 81 FA/69

6

Evidently both figures cannot be correct. This may be verified.

A&F.D)

4.7.70.

K.R. CHAMAYYA
Asst. Draftsman & Ex-Officio
Under Secy., Law Dept.

Note No-4

A draft letter to the C.C.F. is put up for approval at Sl. No 6/Page 15.

10-7-70.

Issue
13.7.70.

13-7-70

Sl No-7 (Receipt)
No B-3/69-GFL-1564/69-70
dt. 22-7-70 from the C.C.F.

Note No-5

Please see the clarification given by the C.C.F. at page 17. Since the draft at page 13 has been modified by LD and further corrected by the C.C.F.'s office (only figures) a clean typed draft will be put up for further approval.

Pl. do so
19.8.70

17-8-70

typist

I

AFD 81 FAF-69.

Note No 6

A typed draft Notification is put up for approval at Sl. No 8 Page 18. It is in the form approved by L.D. at page 13. Reference Note No. 2.

7.9.70. 7.9.70

For kind perusal before issue

D.S.) 8/9/70.

(Records are placed below)

Min (Forests) approved.

8/9/70

16/9/70.

ALUR HANUMANTHAPPA
Min. of State for Forests.

Dy. Secy. A & P
No. 5351
8/9.

Secy A(F) 16/9

17/9

17/9/70.

Issue

17/9/20

File

Sl. No 8 (Issue)
Notification dt. 21-10-70 to the C.C.F.(S) and others

B

AFD 8 FAF 69

This may be recorded B

11-10-71

Recorded B

11-10-71

11/10/71

8/.188

9

THE GAZETTE FILE

No. AGF 31 SRF 69

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, dated 21st October, 1970.

NOTIFICATION

In exercise of the powers conferred by Sub-section (1) of Section 29 of the Mysore Forest Act 1963 (Mysore Act No. 5 of 1964) read with Section 21 of the Mysore General Clauses Act, 1959 (Mysore Act III of 1959), the Government of Mysore hereby rescind Notification No.255/11709-J dated 16th September 1959 issued by the Agriculture & Forest Department of the former Government of Coorg in as far as it relates to forest land specified in the Schedule below.

SCHEDULE

Survey No.	Area	Taluk: Belgaum. Village: Sutgatti. Boundaries: North	East	South	West
	A.G.	S.No.	S.No.	S.No.	S.No.
5/2	81-17	Salvapur Limits		Sy.Nos.4 & 5	Sutgatti
22/2	53-29	Sy.Nos. 13 & 14		Sy.No.23 Sutgatti	Sy.Nos.14,21, 20,26,25 & 24.

By Order and in the name of the Governor of Mysore,

S. N. Krishna murthy
22/10/70 (S.N.Krishna Murthy)
Special Officer & Ex-officio
Under Secretary to Government,
Agriculture & Forest Department.

To
The Manager, Mysore Gazette, Bangalore, in duplicate for publication in the Gazette.

Copies to:
(1) The Chief Conservator of Forests (General) in Mysore, Bangalore.
(2) The Divisional Commissioner, Belgaum.
(3) The Deputy Commissioner, Dharwar.
(4) The Revenue Department.
(5) The Guard File.

mvm/20/10/70

10

[illegible]

No. [illegible] 21 [illegible] 69

[illegible] Government Secretariat,
Vidana Soudha,
Bangalore, dated 21st [illegible], 1975.

NOTIFICATION

In exercise of the powers conferred by Sub-section (1) of Section 39 of the Mysore Forest Act 1963 (Mysore Act No. 5 of 1964) read with Section 21 of the Mysore General Clauses Act, 1957 (Mysore Act III of 1959), the Governor of Mysore hereby rescinds Notification No.255/11708-J dated 16th September 1957 issued by the Agriculture & Forest Department of the former Government of Mysore in so far as it relates to forest land specified in the Schedule below.

SCHEDULE

Reserve Forest	Survey No.	Taluk: Kasaba	Village: Hobli	Boundaries North	East	South	West
5/2	31-17	Shivapur Sidaraba		Sy.No.4 & 5		Reserve	
22/2	39-39	Sy.No. 13 & 14		Sy.No.25		Sy.No.14,21 Reserve	20,26,23 & 24

By order and in the name of the Governor of Mysore,

22-10-70 S. N. Krishnamurthy
(S.N.Krishnamurthy)
Special Officer & Ex-Officio
Under Secretary to Government,
Agriculture & Forest Department.

To
The Publication Mysore Gazette, Bangalore, in duplicate for publication in the Gazette.

Copies to:-
(1) The Chief Conservator of Forests (Central) in Mysore, Bangalore.
(2) The Divisional Commissioner, Belgaum.
(3) The Deputy Commissioner, Karwar.
(4) The Revenue Department.
(5) The Guard File.

mvm/[illegible]

GOVERNMENT OF MYSORE

No.AFD 81 FAF 69

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, dated ~~7th~~ September, 1970

NOTIFICATION

In exercise of the powers conferred by Sub-Section (1) of Section 39 of the Mysore Forest Act 1963 (Mysore Act No.5 of 1964) read with Section 21 of the Mysore General Clauses Act, 1899 (Mysore Act III of 1899), the Government of Mysore hereby rescinds Notification No.2355/11708-J dated 16th September 1955 issued by the Agriculture and Forest Department of the former Government of Bombay in as far as it relates to forest land specified in the Schedule below.

SCHEDULE

District: Dharwar. Taluk: Hangal. Village: Gotgudi

Sy. No.	Area A.G.	Boundaries:- North S.No.	East S.No.	South S.No.	West S.No.
5/2	81-17	Shivapur	Bidarkoph	Sy.No.4 &6	Gotgudi
22/2	38-20	Sy.Nos. 13 & 14	"	Sy.No.23 Handihal	Sy.Nos.14,21 20,26,25 and 24.

By Order and in the name of the
Governor of Mysore,

8/9/70.

(S.N.Krishna Murthy)
Under Secretary to Government,
Agriculture & Forest Department.

7.9.70

To

The compiler, Mysore Gazette, Bangalore, in duplicate for publication in the Gazette.

Copies to:

(1) The Chief Conservator of Forests (General) in Mysore, B'lo
(2) The Divisional Commissioner, Belgaum.
(3) The Deputy Commissioner, Dharwar.
(4) The Revenue Department.
(5) The Guard File.

ISSUED 23.9

mvis/79/

No.B3/69-GFL-1564/69-70.

Chief Conservator's Office
Bangalore:Dated: 22/7/1970.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

Sub:-Request of Sri.N.V.Desai of Hangal for withdrawal of S.35 of IFA 1927 applied to Sy.Nos.5/2 and 22(2) of Gotgudi,Hangal Taluk.

Ref:-Your No.AFD-81-FAF-69 Dated 15-7-1970.

Though the full S.Nos. 5 and 22 of Ghotgudi measuring 162-32-0 and 77-1-0 acres respectively were brought under Section 35 (1) of the Indian Forest Act, only part of the same have been recommended for rescinding from the purview of said notification as under:-

Sy.No.	Extent A g
5/2	81-17
22/2	38-20

The figures 88-20 appea ring in the notification against S.No.22/2 is a mistake for ~~S.No~~.38,20. Necessary corrections to that effect have been made in the draft notification which is resubmitted herewithalong with other records for necessary further action in the matter.

Yours faithfully,

Chief Conservator of Forests

Sl. No. 6

13

GOVERNMENT OF MYSORE

No. AFD 81 FAF 69 // Encl. Records & Notification

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 15th July 1970.

FROM

The *Secretary to the Government of Mysore*
Agriculture & Forest Department.

To

The Chief Conservator of Forests
in Mysore, Bangalore.

Sir,

Sub:- Request of Sri N.V.Desai of Hangal for withdrawal of S.35 of IFA 1927 applied to Sy.Nos.5/2 and 22(2) of Gotgudi, Hangal Taluka.

With reference to your letter No.B-3-69-GFL-1564/69-70 dated 22-5-70, on the above subject, I am directed to return herewith the draft Notification with the following observations.

(i) In the Bombay Government Notification No.PRF.2355/11798-J (669-55 the area in respect of Survey No.5 is shown as 162 Acres and 32 Guntas and that in respect of Survey No.22 is shown as 77 Acres-1. In the draft sent by you the ~~draft~~ area in respect of Survey No.5/2 is shown as 81 Acres -17 Guntas and that in respect of Survey No.22/2 is shown as 88 Acres and 20 Guntas.

(ii) In the letter No.FOP/FST/III/69-70 dated 4-4-69 of the Divisional Forest Officer, Dharwar, addressed to the Conservator of Forests, Belgaum, the area in respect of Survey. No.5/2 is shwon as 81-17 and that of Survey No.22/2 is shown as 38-20.

Hence, I am to request you to check up and report the correct figures of the area in respect of the 2 Survey Nos. to be included in the Notification. The draft Notification and the records are sent herewith for reference and return.

Yours faithfully,

15/7/70

(N.Shantha Raju)
Section Officer,
Agriculture & Forest Department.

mvds/15-7/

~~Sl No 6~~

Subject :- As at page 12

No. AFD 81 FAF-69

To,

The CCF, Bangalore

Sir,

With reference to your letter No. B-3-69-GFL-1564/69-70 dt. 22-5-70, on the above subject, I am directed to return herewith the draft Notification with the following observations.

P.12

ISSUED
15.7.1970.

(i) In the Bombay Govt. Notification No. PRF. 2355/11708-J dt. 16-9-55 the area in respect of Sy. No. 5 is shown as 162 Acres and 32 Guntas and that in respect of Sy. No. 22 is shown as 77 Acres-1. In the draft sent by you the ~~draft~~ area in respect of Sy. No. 572 is shown as 81 Acres-17 Guntas and that in respect ~~of~~ of Sy. No. 22/2 is shown as 88 Acres and 20 Guntas

P.7

P 9

(ii) In the letter No. FOP/FST/

14 III / 69-70 St. 4-479 of the SFO, Dharwar, 15

addressed to the C. S/F; Belgaum.

The area in respect of Sy. No. 5/2 is shown as A. G. 8/-17 and that of Sy. No. 22/2 is shown as 38-20.

Hence, I am to request you to check up and report the correct figures of saw area in respect of the 2 Sy. Nos. to be included in the Notification. The draft Notification P. 13 and the records are sent herewith for reference and return.

SF.
19.7.70
SO; A.F. Deputy
10-7-70

(2 copies) 8. RS [Draft sent by H.C.F.] 13 16

GOVERNMENT OF MYSORE

No. AFD FAF7 Mysore Government Secretariat,
Vidhana Soudha, Bangalore, dated. . .

NOTIFICATION

In exercise of the powers conferred by Sub-section (1) of Section 39 of the Mysore Forest Act, 1963 (Mysore Act No.5 of 1964) read with Section 21 of the Mysore General Clauses Act, 1899 (~~Central~~ Mysore Act ~~IX~~ of 1899), the Government of Mysore hereby rescinds Notification No.2355/11708-J dated 16th September 1955 issued by the Agriculture and Forest Department of the former Government of Bombay ~~prohibiting and regulating certain Acts in the forest land of S. Nos. 5/2 and 22(2) of Village Gotgudi, Hangal Taluka, Dharwar District, specified in Schedule below~~ in as far as it relates to forest land specified in the Schedule below.

P. 6

SCHEDULE

District: Dharwar. Taluk: Hangal. Village: Gotgudi

Survey No.	Area A.G.	Boundaries North S.No.	East S.No.	South S.No.	West. S.No.
5/2	81-17	Shivapur	Bidarkop	SY.No.4 & 6	Gotgudi
22/2	88-20 38-20	Sy.Nos. 13 & 14	"	Sy.No.23 Handihal	Sy.Nos. 14, 21,20,26,25 and 24.

Draft corrected by L.D.
4.7.70
U.D., L.D.

By Order and in the name of the
Governor of Mysore,

Under Secretary to Government,
Agriculture and Forest Department.

To

The Compiler, Mysore Gazette, Bangalore, in duplicate, for publication in the Gazette.

Copies to :-

(1) The C.C.F., Bangalore
(2) The Dvl. Commr., Belgaum.
(3) The Dy. Commr., Dharwar
(4) The RO
(5) The Guard File.

Mb/

Sl. No. 4 17

C.F. No. 45]

GOVERNMENT OF MYSORE

OFFICE OF

THE CHIEF CONSERVATOR OF FORESTS

IN MYSORE: BANGALORE.

No. B3.69 .GFL.1564-69-70
Encls.

20535 Date 22-5-1970.

R. & L. SECTION
A. & F. Dte
Date 22 MAY 1970
Section

The Secretary to Government,

Agriculture and Forest Department,

Bangalore.

Sir,

Sub: Request of Sri N.V.Desai of Hangal for withdrawal of S.35 of I.F.A. 1927 applied to Sy.Nos.5/2 and 22(2) of Gotgudi, Hangal Taluka.

Ref: Your letter No.AFD 81 FAF 69 dated 24-12-69.

A draft **notification under the Mysore** Forest Act, 1963, to rescind the Bombay Government Notification No.2355/11708-J dated 16-9-1955, is submitted herewith as desired.

The records received with your above quoted letter are resubmitted herewith for further action.

Yours faithfully,

3443/FB/70

Chief Conservator of Forests.

Sh. N.A.K.

23/5/7

18

No.FOP/FST/DWR/418(204)/69-70. Belgaum. 27-12 Sept'69.

To

The Chief Conservator of Forests,
in Mysore, Bangalore.

Sir,

Sub:- Request of Shri N.V.Desai of Hangal for withdrawal of S.35 of I.F.A.1927 applied to S.Nos. 5/2 and 22(2) of Gotgudi, Hangal Taluka.

Ref:- Your No.B3/GL-18354/67 dated 17/19-1-1968 and 17-9-1969.

I submit herewith Divisional Forest Officer, Dharwar's No.FOP/FST/III/69-70 dated 4-9-1969 together with its enclosures and state as under:-

(1) Shri Nagesh Venkatarao Desai of Hangal had in his application dated 21-12-1967 first requested to grant him permission to undertake cultivation in S.Nos. 4, 5, 22, 24, 26, 27, 29, 31, 6, 10 and 28 of Gotgudi, Hangal Taluka on the presumption that the said S.Nos. were under the control of the Forest Department under S.35 of I.F.A, 1927. He has pleaded in his application that by keeping control by the Forest Department over these S.Nos. no useful purpose is served, but on the contrary the S.Nos. being near to the village, the tree-growth therein is subject to destruction by the villagers. He has further said that he would undertake cultivation by forming a joint co-operative society and improve the land with the help of modern machinery. Shri Desai has however, in his subsequent statement dated 22-3-69 given to the R.F.O,Hangal requested to withdraw S.35 of I.F.A. applied to S.Nos.5/2 and 22/2 of Gotgudi admeasuring 119 A-37 G. owned by him for the above purpose.

(2) The Divisional Forest Officer reports that S.Nos. 5 and 22 of Gotgudi have been notified under S.35 (1) of I.F.A, 1927 under ex-Bombay Government Notification No.2355/11708-J dated 16-9-1955. He states that Gotgudi village is a non-forest village andthe area is adjacent to cultivable lands and is almost flat and there is no fear of soil erosion if it is brought under cultivation. He adds that the area contains Teak, Sissum, etc species except S'wood. He further states that the owner is very keen to bringthe land under cultivation with the help of modern machinery. He also states that if the owner wants to bring his land under cultivation, the Forest Department need not ordinarily object to it unless the cultivation would lead to soil erosion, as provided in ex-Bombay Government letter No. PRF/1353/4910 dated 5-3-1955. He states that there will not be any such fear of soil erosion in this case and there is no objection to delete the above area from the purview of S.35(1) of I.F.A, 1927 already notified. Removal of tree growth will be permitted as per rules.

(3) The old file of the year 1955 on the subject co-uld not be traced in the records of this office despite thorough search and the area also could not be inspected for want of time. The Divisional Forest Officer has enclosed a copy of the notification with his report and it is felt that it would serve the purpose. However, he is separately being requested to send his office file to you direct for reference and return. In view of the above, I agree with the D. F.O's

(P.T.O)

recommendation and state that orders of the Government deleting the above area from the said S.Nos. from the purview of S.35(1) of I.F.A.1927 may kindly be obtained and communicated to this office early.

Yours faithfully,

(Y.M.L.Sharma)
for Conservator of Forests, B.C.

20-9

MYSORE FOREST DEPARTMENT

From: The Divl.Forest Officer, Dharwar Dn. Dharwar.

To: The Conservator of Forests, Belgaum Circle, Belgaum.

No. FOP/FST/III/69-70. Dharwar. Dt: 4-8-1969.

Sub:- Grant of permission for cultivation of the lands under your Department in pursuance of the section 35 of Forest Act.

Sir,

Ref:- Your D.O.No. FOP/FST/DWR/67-68 dated 4-8-1969.

In submitting herewith the application of Shri. N.V.Desai dated 21-12-1967 and the papers received from the Range Forest Officer Hangal under his No. 225 dated 12-8-1969 requesting for withdrawal of section 35(i) of Indian Forest Act 1927 applied to Sy.No. 5/2 and 22/2 of Gotagodi, Taluka Hangal I wish to state as under:-

2. The applicant is the owner of Sy.No. 4,5/2, 22/2, 24, 26, 27, 28,32, 6&10 of Gotgudi and had first applied for cancellation of section 35(i) to all the Sy.Nos. But subsequently the applicant in his statement dated 22-3-69 before the Range Forest Officer Hangal has stated that section 35(i) has been applied in respect of only 2 Sy. Nos. viz. 5/2 and 22/2 of Gotgudi and as such the section 35(i) applied may be cancelled for the two Sy.Nos. The areas of the Sy.Nos as per extracts from the Records of Rights are as under.

Village.	Sy.No.	Area in areres. A. Gs.
Gotgudi.	5/2	81-17
"	22/2	38-20
	Total.	119-37

3. The village Gotgudi is a non forest village. The entire Sy.Nos. i.e. Sy.No. 5 measuring 162 Acres 33 Gunthas and Sy.No. 22 measuring 77 Acres 1 Gunthas were notified under section 35(i) of Indian Forest Act. under notification No. 2355/11708-J. dated 16 9-1965. But the applicant on his statement and as per Records of Rights extracts is requesting cancellation of section 35(i) of his portion of Sy.No. 5/2 and 22/2 and the extent of area is already mentioned above. The applicant states that he has decided to bring the area under cultivation with the help of the modern improved machines and methods by forming a joint cultivation society under the co-operative basis.

4. On enquiry it is learnt that these Sy.Nos are adjoining the cultivated lands. The area of the Sy.Nos. is almost flat and soil erosion will not take place if brought under cultivation. The treegrowth consists of Teak, Sisum and Jungle wood such as kindul, Gojjal and Matti and bamboos except sandal. Since the applicant says that he is very keen to bring the area under cultivation by co-operative basis, the request may be considered.

5. As per Government letter No. FRF/1353/4910-J.dated 5-3-1955 if the owner of forest land desires to bring the area under cultivation after issue of notification regarding-

P.T.O.

21

its ~~case~~ the Forest Department need not ordinarly object unless cultivation would lead to serious soil erosion. But in this case the area of the Sy.Nos. is almost flat and the question of soil erosion does not arise under the circumstances explained above the request of the applicant may please be considered and the papers may please be submitted for concellation of the section 35(1) applied to the Sy.Nos. One copy of the notification No. 2355/1170 -J. dated 16-9-1955 is enclosed herewith for favour of further action. Since the village Gotgudi is a non-Forest village the sketch now read along with the case papers obtained from the Range Forest Officer Hangal is sub-mitted herewith.

Yours faithfully,

(T.G.Chandrasekhariah)
Divisional Forest Officer,
Dharwar Division, Dharwar.

SF/26/8/-

AGRICULTURE AND FORESTS DEPARTMENT

Sachivalaya, Bombay, 16th September 1935.

INDIAN FOREST ACT, 1927.

No. PRF.2955/17708-J-Whereas the Government of Bombay had issued a notice to Shri B.B.Desai and Shri N.V.Desai of Hangal (District Dharwar) theowner of the forest specified in the Schedule hereto annexed to show cause why a notification under sub-section(1) of section 35 of the Indian Forest Act, 1927, should not be issued prohibitingor regulating the acts specified in the notice;

And whereas the objection raised by thesaid owners to the issue of a notification and evidence produced by them have been heard and considered by Government.

And whereas it appears to the Government of Bombay that it is necessary-

a) for the conservation of trees and forests;
b) for the preservation andimprovement of soil, or the protection of land against erosion, or the deposit thereon of sand, stones or gravel;
c) for the improvement of grazing;
d) for the maintenance, increase and distribution of the supply of fodder, leaf manure, timber or fuel;
e) for the preservation of thepublic health.

(A) to prohibit in the forests specified in the schedule appended hereto the following acts:-
a) the firing or clearing of the vegetation;
b) the girdling, tapping or leaves from any trees.
c) the lopping and pollarding of trees.
d) the cutting, sawing, conversion and removal of trees and timber (except as provided under 'B' below)

(B) to regulate in theforests specified in the schedule appended hereto the following acts in themanner specified hereunder:-
a) the breaking up or clearing of the land for cultivation. No portion of the land should be broken or cleared either by plaughing or digging without theexpress permission of the Divisional Forest Officer,
b)the pasturing of cattle- Not more than 100 (hundred) bona fide domestic cattle can graze over the area in the manner to be prescribed by the Divisional Forest Officer, if necessary.
c) the quarrying of stones or burning of lime or charcoal or collection or removal of any forest produce or its subjection to any manufacturing process- this action of theowner is prohibited for sale or barter.
d) the cutting, uprooting or removal of trees and timber. No tree standing over the area should be either cut or uprooted without the express permission of theDifisional ForestOfficer (note:-(a) dead wood either standing or fallen can be removed for pure domestic use. (b) "Tree" means asdefined in section 2 of the Indian Forest Act.).

Now therefore, in exercise of the powers conferred by sub-section (1) of section 35 of the Indian Forest Act. 1927 (XVI of 1927) in its application to the State of Bombay, the Government of Bombay as pleased-

(A) to prohibit in the aforesaid forests the following acts:-
a) the firing or clearing of the vegetation;
b) the girdling, tapping or burning of any tree or the stripping off the bark or leaves from any tree;
c) the lopping and pollarding of trees;
d) the cutting, sawing, conversion and removal of trees and timber (except as provided under "B" below).

(B) to regulate in the afforesaid forests the following acts in the manner specified hereunder:-
a) the breaking up or clearing of the land for cultivation. No portion of the land should be broken or cleared either by

P.T.O.

23

ploughing or digging without the express ~~written~~ permission of the Divisional Forest Officer.

b) the pasturing of cattle- Not more than 100(hundred) bona fide domestic cattle can graze over the area in the manner to be prescribed by the Divisional Forest Officer, if necessary.

c) the quarrying of stones or burning of lime or charcoal or its subjection to any manufacturing process- this action of the owner is prohibited for sale or barter.

d) the cutting, uprooting or removal of trees and timber. No tree standing over the area should be either cut or uprooted without the express permission of the Divisional Forest Officer. (Note:- (a) dead wood either standing or fallen can be removed for pure domestic use; (b) "Tree" means as defined in section 2 of the Indian Forest Act.).

Schedule.

District Dharwar, taluka Hangal, village Gothudi.

Survey. No.	Area. A. g.	Boundaries. North.	East.	South.	West.
5	162-32	Shivapur	Bidarkop	Survey Nos.4 and 6	Gudgudi
22	77- 1	Survey Nos. 13 and 14	Do.	Survey No 23 Handihal.	Survey Nos. 14,21,20,26, 25 and 24.

~~Bombay~~ By order and in the name of the Governor of Bombay,

V.N.SARDESAI,
Secretary to Government.

Copy

Divisional Forest Officer,
Dharwar Dn, Dharwar.

8.1.83

24

GOVERNMENT OF MYSORE

Encl: Records

No. AFD 81 FAF 69.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore,.....196

24-12-69

FROM

The *Secretary to the Government of Mysore,*
Agriculture & Forest Department.

To. The Chief Conservator of Forests
in Mysore, Bangalore.

Sir,

Sub: Request of Sri N.V.Desai of Hangal for withdrawal of S.35 of I.F.S. 1927 applied to S.Nos.5/2 and 22(2) of Gotgudi Hangal Taluka.

With reference to your letter No.B3.69. GFL.1564/69-70 dated 28-10-1969, on the above subject, I am directed to request you to furnish a draft notification under the Mysore Forest Act, 1963, to rescind the Bombay Government Notification No.2355/11708-J dated 16-9-1955. The records are sent herewith for reference and return along with the draft notification.

Yours faithfully,

(N.A.Kaskar)
i/c Section Officer,
Agri.& Forest Department.

hns/23-12/

~~Sl. No. 3~~ 25

Subject:- Ass at Sl. No 2

No. AFD 81 FAT 69

To, The C.C.F., Bangalore

Sir, With reference to your letter No: B-3 - 69 - GFL - 1564 / 69-70 dt. 28-10-69, on the above subject, I am directed to request you to furnish a draft Notification under the Mysore Forest Act, 1963, to rescind the Bombay Govt. Notification No. 2355/11708-J dt. 16-9-55. The records are

(P.T.O)

ISSUED
Dated: 24/11

26

Sent herewith for reference and return along with the draft Notification.

JF.

20/2/49.

JC&SO., A.F. Deptt

No. B3-69-GFL-1564/69-70

CHIEF CONSERVATOR'S OFFICE,
Bangalore: Dated: 28 Oct. 1969

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

R. & I. SECTION
A. & F. D.
No. 38937
Date 29 OCT 1969
Section 6028/FB/69

Sir,

Sub:- Request of Shri N.V.Desai of Hangal for withdrawal of S.35 of I.F.S. 1927 applied to S.Nos. 5/2 and 22(2) of Gotgudi, Hangal Taluka.

Ref:- This office letter of even No. dated 14-10-1969.

I have to state that the Government be moved to rescined the notification only in respect of S.Nos. 5/2 and 22/2 of Gotgudi measuring only an area of 119-37-0 owned by Shri N.V. Desai of Hangal from the purview of section 35 (1) of Indian Forest Act 1927 as appearing in Ex-Bombay Government Notification No. 2355/11708-5 dated 16th September 55 and not the entire area of S.Nos. 5 and 22.

Yours faithfully,

D. Manjundappa 28/10
CHIEF CONSERVATOR OF FORESTS.

Shri N.A.K.
29-10-69

Sl. No. 1

28 1

No.B3/69/GFL/1564/69-70.
Encl: Case papers

Chief Conservator's Office
Bangalore:Dated: 14/10/1969.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

LAND REFORMS ACTS
No. 37480
Date 15 OCT 1969
Section 676 of 1969

Sir,

Sub:-Request of Shri.N.V.Desai of Hangal for withdrawal of S.35 of I.F.S.1927 applied to S.Nos.5/2 and 22(2) of Gotgudi, Hangal Taluka.

I enclose herewith a copy of letter No.FOP/FST/DWR/418 (204) 69-70 Dated 27-9-1969 with its enclosures received from the Conservator of Forests, Belgaum agreeing with the views of the Divisional Forest Officer, Dharwar to rescind the notification issued by the erstwhile Government of Bombay under section 35 (1) of the Indian Forest Act 1927 in respect of S.Nos.5/2 and 22 (1) of Gotgudi, Hangal Taluka Dharwar District.

5850/78/69.
22.10.69

The petitioner in his application Dated 21-12-67 first requested to grant him permission to undertake cultivation in S.No. 4,5,22,24,26,27,29,31,6, 10 and 28 of Gotgudi Hangal Taluka on the presumption that the said S.Nos. were under the control of the Forest Department under S.35 of I.F.A.1927.Shri.Desai has however in his statement Dated 22-3-1969 has requested to withdraw S.35 of I.F.A. applied to S.No.5/2 and 22/2 of Gotgudi admeasuring 191Acres 37 Guntas owned by him for cultivation by forming a Joint Co-op.Farming Society and improve the land with the help of Modern Machinery.

The above S.Nos. were brought under the purview of Section 35 (1) of the I.F.A. by Ex-Bombay Government Notification No.2355/11708-J Dated 16-9-1955. The owner of these S.Nos. now intend to bring the land under cultivation. His application is enclosed herewith. The Divisional Forest Officer, states that the area contains Teak, Sissum etc. Species except Sandalwood. He further states that the area is almost flat and fit for cultivation and no Soil erosion will take place if it is brought under cultivation as the land is adjoining cultivated lands.

In the Bombay Government letter No.PRF-1353/7910 Dated 5-3-1955 (Copy already furnished to Government) it is laid down that if the owner of the Forest land desires to bring it under cultivation after issue of notification regarding its use, the Forest Department need not ordinarily object unless cultivation would lead to serious Soil erosion. Removal of tree growth will however be permitted as per rules.

Government may therefore kindly be moved to ~~rescind~~ rescind the notification No.2355/11708-J Dated 16-9-1955 issued by the erstwhile Bombay Government under Section 35 (1) of the Indian Forest Act 1927 in respect of S.Nos. 5/2 and 22 (2) of Gotgudi, Hangal Taluka of Dharwar District.

Yours faithfully,

D. Venugopalappa 13/10
Chief Conservator of Forests

Transfer to Forest-B
N.
13/10.

Shri N.A.K.
22-10-69